

Attorney Docket No.: **13257-00040 (UMD-0096)**
Inventors: **Dougherty et al.**
Serial No.: **09/830,176**
Filing Date: **April 23, 2001**
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REMARKS

Claims 1-3, 7 and 8 are pending in this application. Claims 7 and 8 have been allowed. Claims 1-3 have been rejected. Claims 1-3 have been canceled. No new matter has been added by this amendment. Reconsideration is respectfully requested in light of these amendments and the following remarks.

I. Withdrawn Rejection

Applicants acknowledge the withdrawal of the rejection under 35 U.S.C. 112, first paragraph.

II. Claim rejections under 35 USC §102

Claims 1-3 remain rejected under 35 U.S.C. 102(b) as being anticipated by Freas-Lutz et al. ((1994) *Exp. Hematol.* 22:857-65).

Claims 1 and 2 also remain rejected under 35 U.S.C. 102(b) as being anticipated by Migita et al. ((1995) *Proc. Natl. Acad. Sci. USA* 92:12075-12079).

Applicants respectfully disagree with these rejections because the cited prior art references simply do not teach or suggest myeloid-committed stem cells which have been stimulated with lipopolysaccharide. However, in an earnest effort to facilitate the issuance of allowed claims 7 and 8, Applicant is canceling claims 1-3, reserving the right to file continuing applications for the canceled subject matter. Withdrawal of the rejections of claims 1-3 under 35 U.S.C. 102(b) is therefore respectfully requested.

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III. Conclusion

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record. Accordingly, issuance of the pending claims is earnestly solicited.

Respectfully submitted,



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Date: **September 6, 2006**

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